



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Moris TOPAZ
Title: BIOCOMPATIBLE, INJECTABLE AQUEOUS SOLUTION FOR USE IN
ULTRASOUND ENERGY ASSISTED SURGERY
Appl. No.: 10/686,730
Filing Date: 10/17/2003
Examiner: Unassigned
Art Unit: Unassigned

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

Applicant submits herewith on Form PTO/SB/08 a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 09/478,363, filed 01/06/2000. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

Applicant respectfully requests that the listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date February 17, 2004

FOLEY & LARDNER

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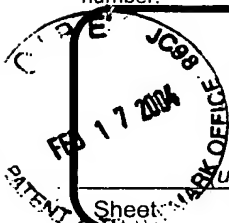
By Richard Peet

Richard Peet

Attorney for Applicant

Registration No. 35,792

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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/686,730
Filing Date	10/17/2003
First Named Inventor	Moris TOPAZ
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	030231-0151

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	4,422,450		RUSTEBERG	12-27-1983	
	A2	5,098,415	A	LEVIN	03-24-1992	
	A3	5,123,903	A	QUAID et al.	06-23-1992	
	A4	5,129,824	A	KELLER	07-14-1992	
	A5	5,149,319	A	UNGER	09-22-1992	
	A6	5,181,908	A	BELL	01-26-1993	
	A7	5,330,357	A	KELLER	07-19-1994	
	A8	5,362,309	A	CARTER	11-08-1994	
	A9	5,580,575	A	UNGER et al.	12-03-1996	
	A10	5,582,829	A	ALLIGER et al.	12-10-1996	
	A11	6,129,701	A	CIMINO	10-10-2000	
	A12	6,139,319	A	SAUER et al.	10-31-2000	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A13	WO	94/06355	A1	CORAJE, INC.	03-31-1994		

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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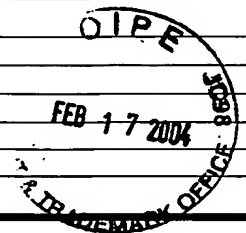
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Complete if Known

(use as many sheets as necessary)

Sheet	2	of	2
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Application Number	10/686,730
Filing Date	10/17/2003
First Named Inventor	Moris TOPAZ
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	030231-0151

Examiner
Initials*Cite
No.¹

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.

T⁶

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ZOCCHI, "Ultrasonic Assisted Lipoplasty," Clinics in Plastic Surgery, October 1996, pp. 575-598, Vol. 23, No. 4, W.B. Saunders Company

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Signature

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